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TESLA, INC. DBA TESLA MOTORS, INC.  
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13 **UNITED STATES DISTRICT COURT**

14 **NORTHERN DISTRICT OF CALIFORNIA**

15 DEMETRIC DI-AZ, OWEN DIAZ AND  
LAMAR PATTERSON

16 Plaintiffs,

17 v.

18 TESLA, INC. DBA TESLA MOTORS,  
19 INC., CITISTAFF SOLUTIONS, INC.;  
WEST VALLEY STAFFING GROUP;  
20 CHARTWELL STAFFING SERVICES,  
INC.; NEXTSOURCE, INC.; and  
21 DOES 1-10, inclusive

22 Defendants.

Case No. 3:17-cv-06748-WHO

**DECLARATION OF BRANDON WARD IN  
SUPPORT OF TESLA INC.'S MOTION TO  
RETAIN CONFIDENTIALITY OF  
DOCUMENTS PURSUANT TO  
PROTECTIVE ORDER**

*[Filed concurrently with the Notice of Motion and  
Memorandum of Points and Authorities,  
Declaration of Reanne Swafford-Harris and  
[Proposed] Order]*

Date: January 8, 2020  
Time: 2:00 p.m.  
Courtroom: 2, 17<sup>th</sup> Floor  
Judge: Hon. William H. Orrick

Complaint Filed: October 16, 2017  
Trial Date: March 2, 2020

**DECLARATION OF BRANDON WARD**

I, Brandon Ward, hereby declare and state:

1. I am currently a Human Resource Business Partner at Tesla, Inc. (“Tesla”). I have personal knowledge of the matters set forth herein and I could and would testify competently thereto, if called upon to do so.

2. I have worked for Tesla since October 17, 2016. As a Human Resource Business Partner, my job duties include team member development; partnering with the business on disciplinary actions; and developing people related business strategies. In the course and scope of my job duties, I regularly refer to Tesla’s employment policies and I am familiar with Tesla’s business practices. I currently work at the Tesla 901 Page Building, which is located at 901 Page Avenue, Fremont, California, 94538.

3. Tesla’s employment policies contain confidential business practice information, the dissemination of which is controlled by Tesla. Tesla regards all of the challenged employment policies, including its Anti-Handbook Handbook as confidential and takes appropriate measures to prevent any external distribution. As such, Tesla restricts the means by which its employees may access its policies. It is not Tesla’s business practice to provide its employees with hard copies of its employment policies, nor to make them generally available to the public.

4. Tesla does not publish its employment policies but makes them available for viewing through Tesla’s intranet. Tesla expects its employees to review the employment policies online, internally, and requires them to execute electronic signatures to acknowledge they have done so. The only way current Tesla employees may view Tesla’s policies externally, is through Microsoft Authenticator—a multi-step verification process.

5. Additionally, Tesla strives to maintain confidentiality throughout its complaint investigation process to the extent it is able. Tesla also considers the disciplinary information of its employees confidential. Public disclosure of Tesla’s third-party personnel investigations would undermine the integrity with which Tesla conducts its employee investigations; and may have a chilling effect on employees from coming forward with their concerns.

1 I declare under penalty of perjury under the laws of the United States of America that the  
2 foregoing is true and correct.

3 Executed this 18th day of November 2019, at Fremont, California.

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6 BRANDON WARD